

This Page Is Inserted by IFW Operations  
and is not a part of the Official Record

## **BEST AVAILABLE IMAGES**

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images may include (but are not limited to):

- BLACK BORDERS
- TEXT CUT OFF AT TOP, BOTTOM OR SIDES
- FADED TEXT
- ILLEGIBLE TEXT
- SKEWED/SLANTED IMAGES
- COLORED PHOTOS
- BLACK OR VERY BLACK AND WHITE DARK PHOTOS
- GRAY SCALE DOCUMENTS

**IMAGES ARE BEST AVAILABLE COPY.**

**As rescanning documents *will not* correct images,  
please do not report the images to the  
Image Problem Mailbox.**



DAC  
JFW

Attorney Docket No. 5649-1215

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: SoonHo Kim et al;

Confirmation No.: 9374

Application No.: 10/775,772

Group Art Unit: 1756

Filed: February 9, 2004

For: PHOTOMASKS INCLUDING SHADOWING ELEMENTS THEREIN AND  
RELATED METHODS AND SYSTEMS

Date: June 29, 2004

Office of Patent Legal Administration  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**PETITION TO ACCORD THE PROPER FILING DATE**

Sir:

As set forth in 37 CFR § 1.10(c) and MPEP § 506.02, Applicant hereby petitions to grant the proper filing date of February 9, 2004 rather than February 10, 2004 for the above-identified patent application as this was the date the application was deposited as "Express Mail" in the U.S. Postal Service. The following is enclosed as evidence of February 9, 2004 being the correct filing date for the application which was properly filed under 37 C.F.R. § 1.10:

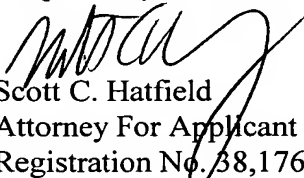
1. A true and accurate copy of the Express Mail Receipt marked by the United States Postal Service ("USPS") as a "date-in" or deposit date with the USPS of 12 noon on February 9, 2004; and
2. A true and accurate copy of United States Postal Service Track & Confirm of Shipment Details showing that the Application was deposited in the Post Office on February 9, 2004 at 4:31 pm.
3. A true and accurate copy of our return post card include if applicable: and of the official filing receipt for this application, sent by the United States Patent and Trademark Office, showing that Applicant was improperly given the filing date of February 10, 2004 instead of the Express Mail date of February 9, 2004.

In re: Baek et al.  
Application No.: 10/719,192  
Page 2

This petition is being filed promptly after Applicant became aware of the improperly accorded filing date. Accordingly, Applicant respectfully requests the granting of February 17, 2004 as the filing date pursuant to 37 CFR § 1.10.

On the basis that Applicant properly followed the requirements of 37 CFR § 1.10 and the USPTO failed to accord the proper filing date under MPEP § 505 and thus the need to file this petition is due to error on the part of the USPTO, it is applicant's belief that no fee is due with this petition. However, the Commissioner is authorized to charge any deficiency or credit any overpayment to Deposit Account No. 50-0220.

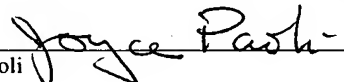
Respectfully submitted,

  
Scott C. Hatfield  
Attorney For Applicant  
Registration No. 38,176

**USPTO Customer No. 20792**  
Myers Bigel Sibley & Sajovec  
Post Office Box 37428  
Raleigh, North Carolina 27627  
Telephone: 919/854-1400  
Facsimile: 919/854-1401

**Certificate of Mailing under 37 CFR 1.8**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Office of Patent Legal Administration, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on June 29, 2004.

  
Joyce Paoli



ms Patent Appl.  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

SCH

Date: 2-9-04  
Doc. No. 5649-1215  
Serial No.  
Inventor: KIM et al

Sir: Kindly acknowledge receipt of the accompanying items listed below  
by placing your receiving stamp hereon and return mailing:

Application Transmittal and:  
☒ Specification pages 29  
☒ No. of Claims 20  
☒ Declaration & POA  
☒ Assignment and Fee  
☐ Small Entity Statement  
☒ Formal Drawings 9 sheets  
☐ Associate Power of Attorney  
☐ Exp. Mail ☐ 1st Class Mail

☒ Check \$ 1796.00  
☒ IDS & PTO-1449 & 16 refs.  
☐ Amendment & Amend. Transmittal  
☐ Preliminary Amendment  
☐ Issue Fee  
☐ Brief  
☐ Appeal  
☒ Submittal of Priority Doc.

17302 U.S. PTO  
10/775772

Other:

Respectfully submitted,  
MYERS BIGEL SIBLEY & SAJOVEC, P.A. 021004  
Attorneys for Applicant



EV 353594128 US

Customer Copy  
Label 11-F June 2002



UNITED STATES POSTAL SERVICE®

Post Office To Addressee

ORIGIN (POSTAL USE ONLY)			
PO ZIP Code 27622	Day of Delivery <input checked="" type="checkbox"/> Next <input type="checkbox"/> Second <input type="checkbox"/>	Flat Rate Envelope <input type="checkbox"/>	
Date In Mo. Day Year	<input checked="" type="checkbox"/> 12 Noon <input type="checkbox"/> 3 PM	Postage \$ 21.05	
Time In <input type="checkbox"/> AM <input type="checkbox"/> PM	<input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day	Return Receipt Fee	
Weight lbs. ozs.	Int'l Alpha Country Code	COD Fee	Insurance Fee
No Delivery <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday	Acceptance Clerk Initials mm	Total Postage & Fees \$ 21.5	

DELIVERY (POSTAL USE ONLY)		
Delivery Attempt	Time	Employee Signature
Mo. Day	<input type="checkbox"/> AM <input type="checkbox"/> PM	
Delivery Attempt	Time	Employee Signature
Mo. Day	<input type="checkbox"/> AM <input type="checkbox"/> PM	
Delivery Date	Time	Employee Signature
Mo. Day	<input type="checkbox"/> AM <input type="checkbox"/> PM	
<input type="checkbox"/> WAIVER OF SIGNATURE (Domestic Only): Additional merchandise insurance is void if waiver of signature is requested. If wish delivery to be made without obtaining signature of addressee or addressee's agent (if delivery employee judges that article can be left in secure location) and authorize that delivery employee's signature constitutes valid proof of delivery.		
<input type="checkbox"/> NO DELIVERY <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday		
Customer Signature		

CUSTOMER USE ONLY	
METHOD OF PAYMENT: Express Mail Corporate Acct. No. X276081	
FROM: (PLEASE PRINT) MYERS BIGEL SIBLEY & SAJOVEC PO BOX 37428 RALEIGH NC 27627-7428	PHONE (919) 854 1400
SCH 5649-1215	

TO: (PLEASE PRINT) Mail Stop Patent Application Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	PHONE ( )
------------------------------------------------------------------------------------------------------------------------------	-----------

PRESS HARD.  
You are making 3 copies.

FOR PICKUP OR TRACKING CALL 1-800-222-1811 www.usps.com





## Track & Confirm

### Shipment Details

You entered EV35 3594 128U S

Your item was delivered at 9:41 am on February 10, 2004 in ALEXANDRIA, VA 22313 to PATENT OFFICE. The item was signed for by M BOSTON.

Here is what happened earlier:

- ARRIVAL AT UNIT, February 10, 2004, 8:19 am, DULLES, VA 20102
- ACCEPTANCE, February 09, 2004, 5:30 pm, RALEIGH, NC 27612
- ENROUTE, February 09, 2004, 4:31 pm, RALEIGH, NC 27623

### Notification Options

- Track & Confirm by email [What is this?](#) [Go >](#)
- Request Proof of Delivery [What is this?](#) [Go >](#)



POSTAL INSPECTORS  
Preserving the Trust

[site map](#) [contact us](#) [government services](#)

Copyright © 1999-2002 USPS. All Rights Reserved. [Terms of Use](#) [Privacy Policy](#)

### Track & Confirm

Enter label number:

[Track & Confirm FAQs](#)

SCH

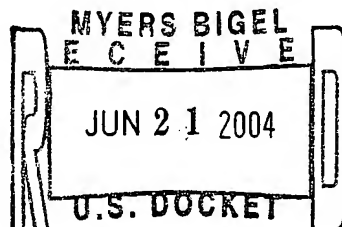


## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/775,772	02/10/2004	1756	1756	5649-1215	9	70	4

20792  
 MYERS BIGEL SIBLEY & SAJOVEC  
 PO BOX 37428  
 RALEIGH, NC 27627



CONFIRMATION NO. 9374

## FILING RECEIPT



\*OC000000012959910\*

Date Mailed: 06/16/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

SoonHo Kim, Gyeonggi-do, KOREA, REPUBLIC OF;  
 Seongyong Moon, Gyeonggi-do, KOREA, REPUBLIC OF;  
 Jinhong Park, Seoul, KOREA, REPUBLIC OF;  
 Seongwoon Choi, Gyeonggi-do, KOREA, REPUBLIC OF;

## Domestic Priority data as claimed by applicant

This application is a CIP of 10/623,616 07/22/2003

## Foreign Applications

REPUBLIC OF KOREA P2003-0084715 11/26/2003  
 REPUBLIC OF KOREA 2002-61046 10/07/2002

If Required, Foreign Filing License Granted: 06/15/2004

Projected Publication Date: To Be Determined - pending completion of Corrected Papers

Non-Publication Request: No

Early Publication Request: No

06-18-04 A09:14 IN

Title

Photomasks including shadowing elements therein and related methods and systems

**Preliminary Class**

430

---

**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).